

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

Midas Green Technologies, LLC,

Plaintiff,

- vs. -

Rhodium Enterprises, Inc.;
Rhodium Technologies LLC;
Rhodium 10mw LLC;
Rhodium 2.0 LLC;
Rhodium 30mw LLC;
Rhodium Encore LLC;
Rhodium Industries LLC;
Rhodium JV LLC;
Rhodium Renewables LLC;
Rhodium Shared Services LLC;
Rhodium Shared Services PR Inc.;
Chase Blackmon;
Cameron Blackmon; and
Nathan Nichols,

Defendants.

Case No. 6:22-cv-00050-ADA

Jury Trial Demanded

JOINT STIPULATION ON CLAIM CONSTRUCTION

Pursuant to the Court’s Scheduling Order (Dkt. 47) the parties in the above-captioned case have exchanged their proposed claim terms and constructions. While Defendants Rhodium Enterprises, Inc., Rhodium Technologies LLC, Rhodium 10mw LLC, Rhodium 2.0 LLC, Rhodium 30mw LLC, Rhodium Encore LLC, Rhodium Industries LLC, Rhodium JV LLC, Rhodium Renewables LLC, Rhodium Shared Services LLC, Rhodium Shared Services PR Inc., Chase Blackmon, Cameron Blackmon, and Nathan Nichols (collectively, “Defendants”), do not believe that a construction of the terms listed below is necessary, to avoid further dispute and burden on the Court and parties, Defendants have agreed to the following constructions as proposed by Midas Green Technologies, LLC (“Midas”):



Term	Claim(s)	Agreed Construction
“weir”	’457 and ’446 patents, all claims	“an overflow structure or barrier that determines the level of liquid”
“plenum”	’457 and ’446 patents, all claims	“a structure for dispensing liquid”

The parties reserve the right to amend, modify, or supplement these proposed constructions as permitted by the Court and the Local and Federal Rules including, but not limited to, in light of further discovery, analysis, and investigation; review of newly or yet-to-be produced documents; or in the event the parties amend or supplements their infringement or invalidity contentions.

DATED: July 11, 2022

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that counsel of record who have appeared electronically in this case are deemed to have consented to electronic service and are being served on July 11, 2022 with a copy of this document via the Court's CM/ECF system.

/s/ Benjamin A. Herbert
Benjamin A. Herbert